

REMARKS

Claims 1-3, 5-7 and 9-20 are pending in this application. By this Amendment, claims 1-3, 5-7, 9, 10 and 17-19 have been amended and claims 4 and 8 have been cancelled without prejudice to or disclaimer of the subject matter contained therein.

Claims 1-20 were rejected under 35 U.S.C. §103(a) over Matsuo et al. (Matsuo), U. S. Patent No. 4,629,043 in view of Walenty et al. (Walenty), U. S. Patent No. 5,139,315. The rejection of the remaining claims is respectfully traversed.

Matsuo and Walenty fail to disclose or suggest a vehicular parking brake apparatus wherein an antilock control portion commonly controls the operating force of the transfer member train based on the state of slip of the wheel of the right-side wheel and the left-side wheel that exhibits a greater slip and a controller that includes a stroke control portion that controls the operating force of the transfer member train so that a drive stroke approaches a target stroke determined based on the state of slip of the wheel as recited in claim 1 and as similarly recited in claims 7, 9, 17, 18 and 19.

Matsuo discloses a parking brake system that uses a cable 5 to control brakes 3, 3. As admitted on page 2 of the Office Action, Matsuo does not disclose controlling wheels based on a state of slip of one of the wheels. In fact, Matsuo fails to disclose or suggest this feature because Matsuo is only concerned with the operation of their braking system based on the gradient of a road (col. 2, lines 15-41).

Accordingly, Walenty fails to provide any teaching, suggestion or motivation to control the state of slip. Accordingly, there is no teaching, suggestion or motivation to combine Matsuo with another reference, in particular Walenty, in order to provide a braking system that controls a brake based on a state of slip as recited in Applicants' independent claims.

Walenty discloses a vehicle parking brake system that individually controls the rear brakes. In Walenty, only the right rear wheel 14 is illustrated with the braking of the left rear wheel identical in form (col. 2, lines 22-25). Each wheel includes an electrically operated brake 16 that is controlled by a controller 18 (col. 2, lines 25-35). The controller 18 controls a current to the torque motor of the electrically operated brake 16 so as to establish a braking pressure proportional to the pressure applied by the operator to the brake pedal 12 (col. 2, lines 35-42). In order to avoid slip, Walenty provides the routine of Fig. 3. This routine is repeated once for each wheel during each control cycle using the parameters associated with the selected wheel (col. 5, line 68 - col. 6, line 3).

Accordingly, Walenty fails to provide any disclosure with regard to an antilock control portion that commonly controls the operating force of a transfer member train based on the state of slip of the wheel of the right-side wheel and the left-side wheel that exhibits a greater slip. Walenty is only concerned with controlling individual brakes. It is neither taught nor suggested, nor is there any motivation in Walenty, as to how Walenty's routine of Fig. 3 can be modified so that it can be applied to Matsuo's braking system which uses a cable 5 to control brakes 3, 3. Walenty only uses parameters associated with a currently selected wheel. In other words, the amount of slip in one wheel in Walenty does not control the driving of the drive power source for the other wheel.

As discussed, Walenty is only concerned with controlling individual brakes. Walenty thus fails to provide any disclosure or suggestion with regard to a transfer device with a transfer member train, the transfer device mechanically transferring a drive power of the drive power source to the parking brakes. As admitted, Matsuo fails to control their wheels based on a state of slip of one of the wheels. Logically, neither Matsuo nor Walenty disclose or suggest a stroke control portion that controls the operating force of a transfer member train so


that a drive stroke approaches a target stroke determined based on the state of slip of the wheel.

As such, Applicants assert that neither Matsuo nor Walenty disclose or suggest all of the features recited in Applicants' claims 1, 7, 9, 17, 18 and 19. In addition, claims 2, 3, 5, 6, 10-16 and 20 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claims 1, 9 and 19 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 5-7 and 9-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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